

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED
APR 19 2006
JOHN E. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

In accordance with the accompanying memorandum opinion, it is now

ORDERED

as follows:

1. The plaintiff's complaint shall be and hereby is **DISMISSED** and **STRICKEN** from the active docket of the court, pursuant to 28 U.S.C. § 1915A(b)(1); and
2. The plaintiff's motion to proceed in forma pauperis shall be and hereby is **DISMISSED** as moot.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the plaintiff and counsel of record for the defendant, if known.

ENTER: This 19th day of April, 2006.

J. H. Clegg

United States District Judge